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E-BULLETIN

Creating a transparent and efficient civil service system

USAID supports civil servant selection based on "meritocracy" and equal opportunity.



Maria Lorena Gutierrez, High Commissioner for Good Governance. Leads the GOC in the public employment system reform.

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The Government of Colombia's (GOC's) ability to properly implement policies is based on the capacity of its public sector functionaries. Although the 1991 Constitution established the *National Civil Service Commission* (CNSC), to date, 21 years later, the CNSC has not managed to execute full and open competitions for all the personnel positions required by national, regional and local entities. A major barrier to improvement, is that the current legislation names the CNSC as both "judge and jury" of the public employment system. As such, there is no objective monitoring of the situation. Furthermore, Law 909 of 2004 (that regulates public employment) is purely procedural and contains rigid parameters, making it difficult to respond to institutional modernization.

In late 2010, the **USAID Public Policy Program** worked with the Government of Colombia's (GOC's) High Council for Good Governance to propose that the GOC structurally reform the National Public Employment System. Over the course of 2010, 2011, and 2012, the Program accompanied the Santos administration in an ambitious initiative to reform the public employment legal framework, involving constitutional and legislative reforms. This directly contributes to the achievement of the GOC's goals under the Good Governance Pillar of the National Development Plan.

Within the aforementioned context, the Program's technical team developed two legislative act proposals to amend the Constitution. Both proposals separate management of oversight and control functions to ensure impartiality and independence, and include implementation criteria based on "meritocracy" and equal opportunity. The proposals aim to improve the Public Employment System's efficiency, operating capacity, and transparency.

The Program also supported the development of a bill on Public Employment to effectively respond to institutional modernization, regulating future selection processes and continuance of current civil servants. This proposal includes training and ascension models that promote efficiency, innovation, competitiveness, and quality among civil servants. This bill was modeled after the American public employment law which is considered concise and flexible.

Both the constitutional reform and the Public Employment bill will be presented to Congress in the next legislature (between August and December 2012). The change for the country will be radical, improving the public employment model in terms of transparency, efficiency, and susceptibility to corruption.